

ENTERED

December 18, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

AARON WADE SMITH, (TDCJ-CID #1703605)	§ CIVIL ACTION NO
Petitioner,	§ 4:23-cv-04444
	§
	§
	§
vs.	§ JUDGE CHARLES ESKRIDGE
	§
	§
BOBBY LUMPKIN,	§
Respondent.	§

MEMORANDUM ON TRANSFER

Petitioner Aaron Wade Smith is an inmate of the Pack Unit of the Texas Department of Criminal Justice—Correctional Institutions Division. He proceeds here *pro se*.

Petitioner filed this action seeking *habeas corpus* relief under 28 USC § 2254, challenging a 2011 conviction in the 397th Judicial District Court of Grayson County, Texas.

The district court in which the writ of *habeas corpus* was filed may transfer the writ to the district where the state court which convicted and sentenced the petitioner is located. 28 USC § 2241(d).

The state court which convicted and sentenced Petitioner is located in Grayson County, which is within the Sherman Division of the Eastern District of Texas.

The Clerk is ORDERED to transfer this application for writ of *habeas corpus* to the Clerk of the Eastern District of Texas, Sherman Division.

Petitioner's motion for leave to file federal *habeas* petition beyond the one-year limitations period is DENIED WITHOUT PREJUDICE to reconsideration after transfer. Dkt 2.

SO ORDERED.

Signed on December 18, 2023, at Houston, Texas.



Hon. Charles Eskridge
United States District Judge